ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING SECTIONS 6.15.015 AND 9.28.010 OF THE RIVERSIDE MUNICIPAL CODE REGARDING ABANDONED, WRECKED OR INOPERATIVE VEHICLES.

The City Council of the City of Riverside does ordain as follows:

Section 1: Section 6.15.015 of the Riverside Municipal Code is hereby amended as follows:

"**Section 6.15.015   Definitions**.

For purpose of this chapter the following words and phrases shall have the meanings given herein:

*Abandoned vehicle* means a ~~physically inoperable vehicle.~~ vehicle considered to be left on a highway, public property, or private property in such inoperable or neglected condition that the owner's intent to relinquish all further rights or interest in it may be reasonably concluded. In reaching a reasonable conclusion, one must consider the amount of time the vehicle has not been moved, its condition, statements from the owner and witnesses, etc.

. . .

*Inoperable vehicle* means mechanically incapable of being driven. ~~or prohibited from being operated on a public street or highway pursuant to Vehicle Code Section 4000, 5202, 24002, 40001, concerning license plates, registration, equipment, safety and related matters.~~

. . ."

Section 2: Section 9.28.010 of the Riverside Municipal Code is hereby amended as follows:

"**Section 9.28.010   Chapter purpose – Definitions**.

In addition to and in accordance with the determination made and the authority granted by the State under Section 22660 of the Vehicle Code to remove abandoned, wrecked, dismantled or

1  inoperative vehicles or parts thereof as public nuisances, the City Council makes the following

2  findings and declarations:

3     The accumulation and storage of abandoned, wrecked, dismantled or inoperative vehicles or

4  parts thereof on private or public property ~~not including highways~~ is found to create a condition

5  tending to reduce the value of private property, to promote blight and deterioration, to invite

6  plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health

7  and safety of minors, to create a harborage for rodents and insects and to be injurious to the health,

8  safety and general welfare. Therefore the presence of an abandoned, wrecked, dismantled or

9  inoperative vehicle or part thereof, on private or public property ~~not including highways~~, except as

10  expressly hereinafter permitted, is declared to constitute a nuisance which may be abated as such in

11  accordance with the provisions of this chapter.

12     As used in this chapter:

13  *Abandoned Vehicle* means a vehicle considered to be left on a highway, public property, or

14  private property in such inoperable or neglected condition that the owner's intent to relinquish all

15  further rights or interest in it may be reasonably concluded. In reaching a reasonable conclusion,

16  one must consider the amount of time the vehicle has not been moved, its condition, statements

17  from the owner and witnesses, etc.;

18  *Dismantled Vehicle* means any vehicle which is partially or wholly disassembled;

19  *Highway* means a way or place of whatever nature, publicly maintained and open to the use

20  of the public for purposes of vehicular travel. "Highway" includes street;

21  *Inoperable Vehicle* means mechanically incapable of being driven;

22  *Owner of the land* means the owner of the land on which the vehicle, or parts thereof, is

23  located, as shown on the last equalized assessment roll;

24  *Owner of the vehicle* means the last registered owner and legal owner of record;

25  ~~*Public property* does not include "highway";~~

26  *Vehicle* means a device by which any person or property may be propelled, moved, or drawn

27  upon a highway, except a device moved by human power or used exclusively upon stationary rails or

28  tracks;

1      *Wrecked Vehicle* means any vehicle that is damaged to such an extent that it cannot be

2 operated upon the highway is termed a wrecked vehicle  A vehicle which has been wrecked in a

3 traffic accident, and which has been removed from the roadway to a storage facility, but which has

4 not been claimed by its owner, will not be considered an abandoned vehicle for the purposes of this

5 program."

6      <u>Section 3</u>:    The City Council has reviewed the matter and, based upon the facts and

7 information contained in the staff reports, administrative record, and written and oral testimony,

8 hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2),

9 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title

10 14, Chapter 3, in that it will not result in a direct or reasonably foreseeable indirect physical change

11 in the environment nor have a significant impact on the environment.

12      <u>Section 4</u>:    The City Clerk shall certify to the adoption of this ordinance and cause

13 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter

14 of the City of Riverside.  This ordinance shall become effective on the 30th day after the date of its

15 adoption.

16      ADOPTED by the City Council this _____ day of _____, 2019.

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18                      _____

                      WILLIAM R. BAILEY, III

19                       Mayor of the City of Riverside

20 Attest:

21

22 _____

  COLLEEN J. NICOL

23 City Clerk of the City of Riverside

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1        I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the

2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the

3 _____ day of _____, 2019, and that thereafter the said ordinance was duly and

4 regularly adopted at a meeting of the City Council on the _____ day of _____, 2019,

5 by the following vote, to wit:

6     Ayes:

7     Noes:

8     Absent:

9     Abstain:

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11        IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the

12 City of Riverside, California, this _____ day of _____, 2019.

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                               _____

14                                City Clerk of the City of Riverside

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